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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,822	07/11/2001	Richard E. Fangman	5686-00500	1393
7590	09/06/2005			
Jeffrey C. Hood Conley, Rose, & Tayon, P.C. P.O. Box 398 Austin, TX 78767				EXAMINER MEW, KEVIN D
				ART UNIT 2664 PAPER NUMBER

DATE MAILED: 09/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/903,822	FANGMAN ET AL.
	Examiner Kevin Mew	Art Unit 2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 11 July 2001.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-21 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-21 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 11 July 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>3 &amp; 4</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

***Detailed Action***

***Claim Objections***

1. Claims 7, 14, 21 are objected to because of the following informalities:

In claims 7, 14, 21, line 2, replace the phrase “each comprise” with “each comprises.”

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4-8, 11-15, 18-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Fallentine et al. (US Publication 2002/0042832).

Regarding claims 1, 15, Fallentine discloses a memory medium that stores program instructions which are executable to perform a method for performing IP telephony, comprising:

receiving a Call Setup request, wherein the Call Setup request (call setup, see paragraph 0041) comprises a source IP address (public NAT IP address) and a destination telephone number (an alias of the final call destination, see paragraph 0041);  
selecting a first Media Gateway based on the source IP address (selecting any H.323 endpoint, see paragraph 0041);

selecting a second Media Gateway based on the destination telephone number (any internal endpoint, see paragraph 0041);

comparing a public IP address of the first Media Gateway to a public IP address of the second Media Gateway (Glasses A recognizes that the IP address of EnVision A1 and Envision A2 on ILS are the same, see paragraph 0058 and Fig. 7);

if the public IP address of the first Media Gateway is the same as the public IP address of the second Media Gateway, selecting a private IP address of the first Media Gateway and a private IP address of the second Media Gateway for Call Setup (if Glasses A recognizes that the IP address of EnVision A1 and Envision A2 on ILS are the same, it sends the private address of EnVision A2 back to EnVision A1 and EnVision 1A calling EnVision A2 using the private IP address, see paragraph 0058 and Fig. 7); and

if the public IP address of the first Media Gateway is not the same as the public IP address of the second Media Gateway, selecting the public IP address of the first Media Gateway and the public IP address of the second Media Gateway for Call Setup (if the endpoint-to-endpoint call is a gateway call in a dual-NAT environment, public NAT IP address is being used, i.e. the public address of the first endpoint and the public address of the second end-point are being used, see paragraphs 0041 and 0060, and Fig. 9).

Regarding claims 4, 18, Fallentine discloses the method of claim 1, further comprising: registering the first Media Gateway prior to said receiving, wherein said registering the first Media Gateway comprises receiving and storing the public IP address of the first Media Gateway; and

registering the second Media Gateway prior to said receiving, wherein said registering the second Media Gateway comprises receiving and storing the public IP address of the second Media Gateway (EnVision users need to register prior to receiving incoming calls and the registration requires registering the public NAT IP address of the EnVision endpoint, see paragraph 0047).

Regarding claims 5, 19, Fallentine discloses the method of claim 4, wherein said registering the first Media Gateway further comprises receiving and storing a private IP address of the first Media Gateway (registering requires storing the IP address of the endpoints, see paragraph 0048).

Regarding claims 6, 20, Fallentine discloses the method of claim 4, wherein said registering the second Media Gateway further comprises receiving and storing a private IP address of the second Media Gateway (registering requires storing the IP address of the endpoints, see paragraph 0048).

Regarding claims 7, 21, Fallentine discloses the method of claim 1, wherein the first Media Gateway and the second Media Gateway each comprises one of an IP telephone (EnVision A1 and EnVision A2 making a call over an IP network, see paragraph 0058 and Fig. 7) or a Trunking Gateway, wherein the Trunking Gateway comprises an interface to the Public Switched Telephone Network (PSTN).

Regarding claim 8, Fallentine discloses a system for performing IP telephony, comprising:

a network (see Figs. 7 and 9);  
a first Media Gateway (any H.323 endpoint, see paragraph 0041);  
a second Media Gateway (any internal endpoint, see paragraph 0041), wherein the second Media Gateway is operable to couple to the first Media Gateway through the network (see Figs. 7 and 9); and  
a Media Gateway Controller (the combined system of ILS and Glasses A), wherein the Media Gateway Controller is operable to couple to the first Media Gateway and the second Media Gateway through the network (the combined system of ILS and Glasses A is operable to couple to EnVision endpoints, see Figs. 9);  
wherein the first Media Gateway is operable to send a Call Setup request to the Media Gateway Controller (EnVision A1 makes an ILS call to EnVision A2, see paragraph 0058), wherein the Call Setup request comprises a source IP address and a destination telephone number;  
wherein the Media Gateway Controller is operable to:  
receive a Call Setup request (ILS and Glasses receive a call request, see paragraph 0058);  
selecting a first Media Gateway based on the source IP address (selecting any H.323 endpoint, see paragraph 0041);  
selecting a second Media Gateway based on the destination telephone number (any internal endpoint, see paragraph 0041);

comparing a public IP address of the first Media Gateway to a public IP address of the second Media Gateway (Glasses A recognizes that the IP address of EnVision A1 and Envision A2 on ILS are the same, see paragraph 0058 and Fig. 7);

if the public IP address of the first Media Gateway is the same as the public IP address of the second Media Gateway, selecting a private IP address of the first Media Gateway and a private IP address of the second Media Gateway for Call Setup (if Glasses A recognizes that the IP address of EnVision A1 and Envision A2 on ILS are the same, it sends the private address of EnVision A2 back to EnVision A1 and EnVision 1A calling EnVision A2 using the private IP address, see paragraph 0058 and Fig. 7); and

if the public IP address of the first Media Gateway is not the same as the public IP address of the second Media Gateway, selecting the public IP address of the first Media Gateway and the public IP address of the second Media Gateway for Call Setup (if the endpoint-to-endpoint call is a gateway call in a dual-NAT environment, public NAT IP address is being used, i.e. the public address of the first endpoint and the public address of the second end-point are being used, see paragraphs 0041 and 0060, and Fig. 9).

Regarding claim 11. The system of claim 8, wherein the Media Gateway Controller is further operable to:

register the first Media Gateway prior to said receiving, wherein said registering the first Media Gateway comprises receiving and storing the public IP address of the first Media Gateway; and

register the second Media Gateway prior to said receiving, wherein said registering the second Media Gateway comprises receiving and storing the public IP address of the second Media Gateway (EnVision users need to register prior to receiving incoming calls and the registration requires registering the public NAT IP address of the EnVision endpoint, see paragraph 0047).

Regarding claim 12, Fallentine discloses the system of claim 11, wherein registering the first Media Gateway further comprises receiving and storing a private IP address of the first Media Gateway (registering requires storing the IP address of the endpoints, see paragraph 0048).

Regarding claim 13, Fallentine discloses the system of claim 11, wherein, in registering the second Media Gateway the Media Gateway Controller is further operable to receive and store a private IP address of the second Media Gateway (registering requires storing the IP address of the endpoints, see paragraph 0048).

Regarding claim 14, Fallentine discloses the system of claim 8, wherein the first Media Gateway and the second Media Gateway each comprises one of an IP telephone (EnVision A1 and EnVision A2 making a call over an IP network, see paragraph 0058 and Fig. 7) or a Trunking Gateway, wherein the Trunking Gateway comprises an interface to the Public Switched Telephone Network (PSTN).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-3, 9-10, 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fallentine et al.

Regarding claims 2, 16, Fallentine discloses the method of claim 1, further comprising: sending the selected IP address of the second Media Gateway to the first Media Gateway (sending the private IP address of EnVision A2 back to EnVision A1).

Fallentine does not explicitly show sending the selected IP address of the first Media Gateway to the second Media Gateway. However, Fallentine discloses sending the private IP address of EnVision A2 back to EnVision A1 when EnVision A1 is making a call to EnVision A2 (see paragraph 0058). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of sending the selected IP address of the second Media Gateway to the first Media Gateway in Fallentine such that when EnVision A2 is making a call to EnVision A1, the private address of EnVision 1 will be sent to EnVision 2. The motivation to do so is to allow call communication set-up to be established between two end-points in both directions.

Regarding claims 3, 17, Fallentine does not explicitly disclose the method of claim 2, further comprising:

the first Media Gateway sending data to the second Media Gateway using the selected IP address of the second Media Gateway; and

the second Media Gateway sending data to the first Media Gateway using the selected IP address of the first Media Gateway.

However, Fallentine discloses making a call from EnVision A1 to EnVision A2 using the private IP address of EnVision A2 (see paragraph 0058 and Fig. 9). Fallentine further discloses that EnVision data transfer is supported in both directions (see paragraph 0050). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of using the private IP address of the EnVision A2 when sending data from EnVision A1 to EnVision A2 in Fallentine such that the EnVision A1 is sending data to EnVision A2 using the private IP address of the EnVision A2; and EnVision A2 is sending data to EnVision A1 using the private IP address of EnVision A1. The motivation to do so is to support the data transfer between two EnVision endpoints in both directions and the data is sent to the correct endpoint using private IP address of endpoints.

Regarding claim 9, Fallentine discloses the system of claim 8, wherein the Media Gateway Controller is further operable to:

send the selected IP address of the second Media Gateway to the first Media Gateway (sending the private IP address of EnVision A2 back to EnVision A1).

Fallentine does not explicitly show sending the selected IP address of the first Media Gateway to the second Media Gateway. However, Fallentine discloses sending the private IP address of EnVision A2 back to EnVision A1 when EnVision A1 is making a call to EnVision A2 (see paragraph 0058). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of sending the selected IP address of the second Media Gateway to the first Media Gateway in Fallentine such that when EnVision A2 is making a call to EnVision A1, the private address of EnVision 1 will be sent to EnVision 2. The motivation to do so is to allow call communication set-up to be established between two end-points in both directions.

Regarding claim 10, Fallentine does not explicitly disclose the system of claim 9, wherein the first Media Gateway is operable to send data to the second Media Gateway using the selected IP address of the second Media Gateway; and

wherein the second Media Gateway is operable to send data to the first Media Gateway using the selected IP address of the first Media Gateway.

However, Fallentine discloses making a call from EnVision A1 to EnVision A2 using the private IP address of EnVision A2 (see paragraph 0058 and Fig. 9). Fallentine further discloses that EnVision data transfer is supported in both directions (see paragraph 0050). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of using the private IP address of the EnVision A2 when sending data from EnVision A1 to EnVision A2 in Fallentine such that the EnVision A1 is sending data to EnVision A2 using the private IP address of the EnVision A2; and EnVision A2 is sending data

to EnVision A1 using the private IP address of EnVision A1. The motivation to do so is to support the data transfer between two EnVision endpoints in both directions and the data is sent to the correct endpoint using private IP address of endpoints.

*Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Publication 2002/0101859 to McClean

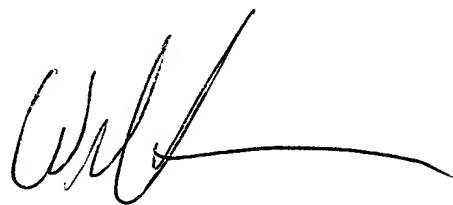
US Publication 2002/0044567 to Voit et al.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Mew whose telephone number is 571-272-3141. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



WELLINGTON CHIN  
REVISORY PATENT EXAMINER

KDM  
Art Unit 2664